



Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: NISHIYAMA, Kiyoshi	) Group Art Unit:
	)
Serial No: 10/567,514	) Examiner: Lamont M. Hunter
	)
Filed: February 07, 2006	) Attorney Docket No: 8840/96472
	) (P0737US)
International Application No. PCT/JP2004/011568	)
	)
International Filing Date: August 05, 2004	)
	)
For: System Estimation Method and Program,	) Confirmation No. 8971
Recording Medium, and System	)
Estimation Device	)

**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS**

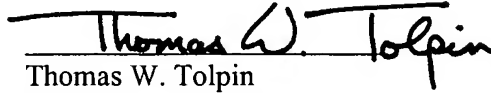
**Mail Stop: Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The subject patent application was filed on February 7, 2006 in the U.S. Patent Office. A Notice to File Missing Requirements (copy enclosed) was mailed June 22, 2006, informing the applicant that the application was filed and that an executed Declaration of the inventor(s) and an examination filing fee for a non-small entity are required. Applicant submits herewith a fully executed Declaration and Power of Attorney identifying the application by the international application number and international filing date in compliance with 37 CFR 1.497(a) along with a check in the amount of \$330 to cover the additional fees required. Applicant submits the application is complete and ready for examination which action is earnestly solicited.

Please credit any overpayment or charge any additional fees necessary to Deposit  
Account No. 23-0920.

Respectfully submitted,

A handwritten signature in black ink, reading "Thomas W. Tolpin". The signature is written in a cursive style with a horizontal line above it.

Thomas W. Tolpin  
Registration No. 27,600  
Attorney for Applicant

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TKV

**UNITED STATES DEPARTMENT OF COMMERCE**  
United States Patent and Trademark Office  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/567,514	Kiyoshi Nishiyama	8840/96472(P0737US)

INTERNATIONAL APPLICATION NO.

PCT/JP04/11568

L.A. FILING DATE	PRIORITY DATE
05/08/2004	08/11/2003

**CONFIRMATION NO. 8971**

### 371 FORMALITIES LETTER



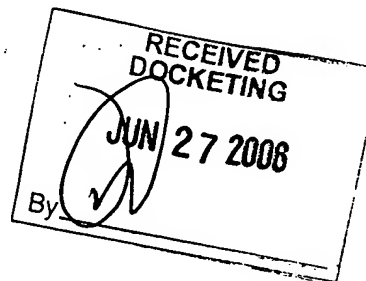
\*OC000000019369332\*

**Date Mailed: 06/22/2006**

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/07/2006
- English Translation of the IA filed on 02/07/2006
- Copy of the International Search Report filed on 02/07/2006
- Preliminary Amendments filed on 02/07/2006
- Information Disclosure Statements filed on 02/07/2006
- Oath or Declaration filed on 02/07/2006
- Request for Immediate Examination filed on 02/07/2006
- U.S. Basic National Fees filed on 02/07/2006
- Priority Documents filed on 02/07/2006



**The applicant needs to satisfy supplemental fees problems indicated below.**

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

RECEIVED

Total additional fees required for this application is \$330 for a Large Entity:

- **\$130 Surcharge.**
  - The application examination fee has not been paid. Applicant must submit \$200 to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/567,514	PCT/JP04/11568	8840/96472(P0737US)



08-15-06  
IAP7 Rec'd PCT/PTO 14 AUG 2006 PC9

PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/567,514

Filing Date

February 7, 2006

First Named Inventor

NISHIYAMA, Kiyoshi

Art Unit

Examiner Name

Lamont M. Hunter

Attorney Docket Number

8840/96472

### ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Reply to Missing Parts/  
Incomplete Application

☒ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board  
of Appeals and Interferences

☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify  
below):

Certificate of Express Mail;  
Postcard and Check in the  
amount of \$330 for Surcharge  
Fee and Examination Fee for  
non-small entity; Executed  
Declaration and Power of  
Attorney

Remarks

Confirmation No. 8971

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Welsh & Katz, Ltd.

Signature

*Thomas W. Tolpin*

Printed name

Thomas W. Tolpin

Date

August 14, 2006

Reg. No.

27,600

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Date

I.A. No. PCT/JP2004/011568

Attorney Docket No. 8840/96472

Filed: August 5, 2004

Application No. 10/567,514



## **Certificate of Express Mailing**

**Express Mail** mailing label number EV 592965784 US

Date of Deposit: August 14, 2006

I hereby certify that the enclosed Transmittal Form, Response to Notification of Missing Requirements, Executed Declaration and Power of Attorney, Duplicate Copy of Notification of Missing Requirements, Check in the amount of \$330.00 for Surcharge for Late Payment of Original Declaration or Oath and for examination fee for a non-small entity are being deposited with the United States Postal Service "Express Mail" Post Office to Addressee. Service under 37 CFR 1.10 is on the date indicated above and addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. The person mailing this paper is:

Steve Hymowitz

Typed or Printed Name of Person Mailing Paper of Fee

A handwritten signature in black ink that reads "Steve Hymowitz". The signature is written in a cursive style with a large "S" and "H".

Signature of Person Mailing Paper or Fee